



4. On June 18, 2020, Plaintiffs served their first written discovery requests. Defendant—through its then attorney, Roy E. Mathews—provided its final responses on September 3, 2020, following two agreed extensions of its deadline. After reviewing said responses, Plaintiffs sent Defendant a letter outlining the extent to which Plaintiffs perceive the responses and production to be insufficient—largely linked to possible disputes between the parties regarding the scope of discovery related to potential class members.

5. In September, Mr. Mathews left Gordon Rees Scully Mansukhani, LLP for a new career opportunity, and was replaced by Liz E. Drumm as counsel in this matter. Ms. Drumm reasonably required time to immerse herself in the matter prior to conferring with Plaintiffs' counsel. The parties have now begun the process of conferring amicably, but have not yet resolved the pending issues.

6. For these reasons, the parties are in agreement that additional time is necessary to complete discovery in this action.

7. The parties presently seek a 120-day extension of each pending deadline to address the above-described delays. Given the size and composition of the proposed class, the volume and sensitivity of potentially relevant records, and the unusual procedural posture of the case, the parties anticipate that subsequent modifications to the scheduling order may be needed.

8. This Motion is not made for the purpose of delay, but rather for the purposes of fairness and efficient use of resources, and the interest of justice will be served by granting this Motion.

Therefore, the parties jointly propose to the Court an Amended Scheduling Order extending the deadlines by 120 days and setting the following deadlines, which are also in the proposed order:

1. A report on alternative dispute resolution in compliance with Local Rule CV-88 shall be filed on or before February 26, 2021.

2. The parties shall file all motions to amend or supplement pleadings or to join additional parties on or before December 30, 2020.

3. Plaintiffs shall designate testifying experts by March 12, 2021, and Defendants shall designate testifying experts by March 26, 2021. All parties shall file all designations of rebuttal experts and serve on all parties the material required by Federal Rule of Civil Procedure 26(a)(2)(B) for such rebuttal experts, to the extent not already served, 15 days from the receipt of the report of the opposing expert.

4. The parties shall complete all discovery on or before May 28, 2021.

5. All dispositive motions shall be filed on or before June 29, 2021 and shall be limited to 20 pages. Responses shall be filed and served on all other parties not later than 14 days after the service of the motion and shall be limited to 20 pages. Any replies shall be filed and served on all other parties not later than 7 days after the service of the response and shall be limited to 10 pages, but the Court need not wait for the reply before ruling on the motion.

Respectfully Submitted,

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**ATTORNEYS FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

I hereby certify that on November 6, 2020, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

/s/Anna Bocchini